

JUDGE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNITED STATES OF AMERICA,	)	NO. CR06-5614RBL
	)	
Plaintiff,	)	
	)	ORDER GRANTING UNOPPOSED
vs.	)	MOTION TO CONTINUE TRIAL
	)	DATE
HENRY FRANK WILKINSON,	)	
	)	
Defendant.	)	
_____	)	

Based on the unopposed motion of the defendant to continue the trial date, and the reasons set forth in the sealed affidavit of defense counsel in support of the motion, which are incorporated herein by reference and adopted as findings of fact, the Court makes the following findings of fact and conclusions of law:

1. The ends of justice served by granting this continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).

2. Proceeding to trial absent adequate time for the defense to prepare would result in a miscarriage of justice. 18 U.S.C. §3161(h)(8)(B)(i).

3. The defense needs additional time to explore issues of some complexity, including all relevant issues and defenses applicable to the case, which would make it unreasonable to expect adequate preparation for pretrial proceedings or for trial itself within the time limits established by the Speedy Trial Act and currently set for this case.

1 18 U.S.C. § 3161(h)(8)(B(ii).

2 4. Taking into account the exercise of due diligence, a continuance is necessary  
3 to allow the defendant the reasonable time for effective preparation his defense. 18

4 U.S.C. § 3161(h)(8)(B)(iv).

5 NOW, THEREFORE,

6 IT IS HEREBY ORDERED that the trial date is continued from December 11,  
7 2006 to **May 14, 2007, at 9:00 am.** The resulting period of delay from December 11,  
8 2006, to May 14, 2007, is hereby excluded for speedy trial purposes under 18 U.S.C. §  
9 3161(h)(8)(A) and (B).

10 Pre-trial motions shall be due on **MARCH 26, 2007.**

11 Motion Hearing, if needed, shall be on **MAY 3, 2007 at 9:00 am**

12  
13 IT IS SO ORDERED this 19th day of October, 2006.

  
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RONALD B. LEIGHTON  
UNITED STATES DISTRICT JUDGE

15 Presented By:

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18 /s/ Russell V. Leonard  
19 Russell V. Leonard  
20 Attorney for Defendant  
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